

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**DAVID AGOADO, LEEANN MCNALLY,  
CRAIG MOORE, CHRIS PIERRE,  
THOMAS SHARKEY AND DOREEN  
VAZQUEZ**, individually and on behalf of all  
others similarly situated,

Plaintiffs,

- against -

**MIDLAND FUNDING, LLC, MIDLAND  
FUNDING, LLC DBA IN NEW YORK AS  
MIDLAND FUNDING OF DELAWARE,  
LLC, MIDLAND CREDIT  
MANAGEMENT, INC., RUBIN &  
ROTHMAN, LLC, FORSTER & GARBUS  
LLP, COHEN & SLAMOWITZ, LLP and  
PRESSLER AND PRESSLER LLP**

Defendants.

**Civil No. 2:14-cv-18-WFK-ST**

**SECOND ATTORNEY DECLARATION  
OF MATTHEW B. JOHNSON**

I, Matthew B. Johnson, declare under penalty of perjury:

1. I am an attorney admitted to practice before this Court and am senior counsel with the firm of Gordon Rees Scully Mansukhani, LLP, attorneys for Defendants Midland Funding LLC, Midland Funding, LLC d/b/a in New York as Midland Funding of Delaware, LLC and Midland Credit Management, Inc. (collectively, "Midland"). I am familiar with this case and I submit this declaration in opposition to Plaintiffs' Motion for Summary Judgment pursuant to Fed. R. Civ. P. 56.

2. Attached is a true and accurate copy of an excerpt of the deposition of Plaintiff Leeann McNally. It is marked Exhibit M-R and consists of pages 221-228 of the deposition of Plaintiff Leann McNally, taken on June 26, 2015, in connection with the present action. This document is referenced in Midland's Response to Plaintiffs' Local Rule 56.1 Statement of Material

Facts and Midland's Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment.

Respectfully submitted,

Dated: Astoria, New York  
January 7, 2022

**GORDON REES SCULLY MANSUKHANI**



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